

Court No. - 6

Case :- WRIT - C No. - 7877 of 2024

Petitioner :- Thakur Rangji Maharaj Virajman Mandir

Respondent :- State Of UP And 3 Others

Counsel for Petitioner :- Devansh Misra

Counsel for Respondent :- C.S.C.

Hon'ble Rohit Ranjan Agarwal,J.

1. In pursuance to the order dated 11.03.2024, personal affidavit of Commissioner/Secretary, Board of Revenue, U.P. has been filed today, which is taken on record.

2. Dr. Rajeshwar Tripathi, learned Chief Standing Counsel, has invited the attention of the Court to annexure no. 4 of the personal affidavit wherein the details of various amounts released by the Commissioner/Secretary, Board of Revenue towards different temples of the State have been given.

3. In paragraph nos. 5 and 6, brief description has been given as to the partial annuity released to the temples at Mathura. According to paragraph no. 5, the total amount to be paid to temples at Mathura is Rs. 9,12,507/- out of which Rs. 2,23,199/- has been paid and balance amount of Rs. 6,89,308/- remains to be paid to nine temples.

4. Section 99 of U.P.Z.A. & L.R. Act provides for payment of annuity. Petitioner had earlier approached this Court through Civil Misc. Writ Petition No. 56678 of 2007 wherein a direction was given by this Court to release the annuity of the temple. In the instant case the annuity has not been paid from 01.01.2020 to 31.12.2023 amounting to Rs. 3,52,080/-.

5. The Court is surprised to read the personal affidavit of Commissioner/Secretary, Board of Revenue wherein it has been

mentioned that the amount could not be released to the temple in question alongwith eight other temples of Vrindavan due to paucity of fund.

6. It is not a question of payment for a single year, but the annuity has not been transferred to the temple in question for last four years.

7. This Court is pained to note that temples and trusts have to knock the doors of the Court for getting their dues released from the State Government, which should have automatically flowed from the Treasury of the State into the account of temple. It is an annual feature and the officer concerned should have made the necessary arrangement for releasing the annuity of the temple in question.

8. In this modern age of technology, once the financial year begins the State should automatically transfer the amount into the account of the temple. Letter written by the District Magistrate, Mathura to the Special Secretary, Government of U.P. at Lucknow is an indicator to the effect that the official sitting at Lucknow do not care for the release of annuities to the trusts and temples.

9. From perusal of the personal affidavit of Commissioner/Secretary, Board of Revenue, it transpires that no effort has been made by the officer concerned for last four years for getting the annuity transferred into the account of the temple. Moreover, no correspondence has been brought on record to demonstrate that any serious effort has been made by him to get the budget sanctioned from the State Government. The temple authorities are running from pillar to post for getting their dues released from these government officials, which is strange.

10. Let Commissioner/Secretary, Board of Revenue, U.P. remain

present in the Court on 20.03.2024 and explain as to why the annuity for the temple in question alongwith eight other temples of Vrindavan has been withheld for last four years.

11. Let this order be handed over to learned Chief Standing Counsel Dr. Rajeshwar Tripathi within 24 hours for necessary compliance. Further, the Registrar (Compliance) shall intimate this order through FAX within 24 hours to the Chief Secretary, Government of U.P. who shall place this matter before the Chief Minister for necessary action.

12. Hearing to continue.

13. Put up, as fresh, on 20.03.2024 at 10.00 AM.

Order Date :- 18.3.2024
Shekhar